

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-7, 9, 11-17, 19, 21-27 and 29 are pending in this application. Claims 1, 11, and 21 are independent. Claims 21-27 and 29 are hereby amended. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification.

Claim 8 is withdrawn without prejudice or surrender of subject matter as directed to a non-elected species.

Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

III. ALLOWABLE SUBJECT MATTER

Applicant's representative thanks the Examiner for noting claims 1-7, 9, 11-17, and 19 recite allowable subject matter.

III. REJECTIONS UNDER 35 U.S.C. §101

Claims 21-27, and 29 were rejected as allegedly directed to non-statutory subject matter. The Office Action states, “[t]he broadcasting satellite or the internet or the wire are mediums that records the program that is readable by the computer and therefore the claims are non-statutory.”

Applicant has amended independent claim 21 to recite, *inter alia*:

“A computer-readable storage medium storing a computer program . . .”

The amendment to claim 21 clarifies that the computer-readable medium is not broadcast signals from a satellite, the internet or wire as the media that records the program readable by the computer.

The amendment to claim 21 clarifies that the computer-readable medium is a computer-readable “storage” medium well-known in the art. Such storage media include, but are not limited to, hard disks, CD-ROMS, floppy disks and memory sticks, all of which are structural devices.

The as-filed specification provides support for the amendment at, for example, Publ. App. pars. [0293]-[0294], [0296]-[0298] and FIG. 22:

“FIG. 22 is a block diagram depicting a typical structure of one embodiment of the computer according to the invention, the computer being structured so as to carry out the programs constituting the series of steps described above. **The programs may be stored beforehand on an internal recording medium such as a hard disc 105 or a ROM** (read only memory) 103 in the computer.

Alternatively, **the programs may be retained** temporarily or permanently **on a removable recording medium 111 such as flexible disks, a CD-ROM (compact disc read only memory), an MO (magneto-optical) disk, a DVD (digital versatile disc), a magnetic disk, or a semiconductor memory.** The removable recording medium 111 may then be offered as so-called package software.”

Publ. App. pars. [0293]-[0294] (emphasis added).

Applicant respectfully requests withdrawal of the §101 rejection of claim 21.

Claims 22-27, and 29 depend from claim 21 and should be allowable for at least the same reasons.

CONCLUSION

Claims 1-7, 9, 11-17, 19, 21-27 and 29 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

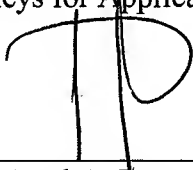
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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